

REMARKS

Election/Restrictions

The Applicant notes the Examiner's statements regarding the Applicant's election in response to the Examiner's Restriction Requirement, and thanks the Examiner for withdrawing the Examiner's Election Requirement of 06/16/05. Notwithstanding, the Applicant respectfully asserts that the Applicant's election was proper and did not result in ignoring the Examiner's Election Requirement. The Examiner's Election Requirement first asserted that the instant application contained two groups of inventions; the first group defined by claims 1-7; and the second group defined by claims 8-12. The Examiner's Election Requirement then asserted that the Application was "further required to elect a species of apparatus for prosecution" from either Figures 4-5 and 7-9 (Species 1) or Figure 6 (Species 2). The Applicant understood this to require that the Applicant elect both a group of claims as well as a species to properly respond to the Examiner's Election Requirement. As is discussed in MPEP 806.04(e), claims are definitions of inventions, whereas species are different embodiments which may or may not be covered by a single claim. Thus, the Examiner's Election Requirement was interpreted to first require that Applicant elect a group of claims, and then, within that group of claims elect a single species or embodiment, from the list of two possible embodiments that the Examiner had identified as potentially being covered by the claims of the application.

Claim Rejections

The Applicant has amended claim 7 to remove the term “type” to overcome the indefiniteness rejection asserted by the Examiner.

In addition, the Applicant has amended claims 1 through 12 of the instant application (and has added new claims 13 through 17) to more specifically define the instant invention over the prior art cited by the Examiner.

Specifically, regarding claims 1-8, the Applicant has amended independent claim 1 to require that the cut out in the claimed matting of the insert assembly is smaller than the opening in the display unit to which the insert assembly is connected. Such a limitation is neither taught nor disclosed by the combination of Stanley et al. and Tsai. The “matting” of Tsai includes an opening (cut out) 12 that is larger than the opening 21 of the “display unit”, so that portions 23 of the display unit can be folded over the matting 21 (see Figure 3, and column 2, lines 4 through 13). Thus the “matting”, as that term is used by the Examiner, of Tsai is not visible from the exterior of the display unit, and its combination with Stanley et al. would not result in the layered appearance that is provided by the instant invention.

Regarding claims 8-11, the Applicant has amended independent claim 8 to require that the backing generally extends across the center of the frame to provide an enclosed space within the frame between the panel and the backing. Such a limitation is neither taught nor disclosed by Anderson et al., which includes an aperture 14 to allow a person to see through the “backing” (panel 12). The aperture 14 prevents the device of Anderson et al. from being used to hold objects within the frame as is the

purpose of the instant invention, rather the device of Anderson et al. is used as a portal (sight glass) into an area behind the panel 12 of Anderson et al.

Regarding claim 12, the Applicant has amended claim 12 to include the step of determining the outer circumferences of the display panel and the backing and further refined the injection molding step to require that the body have an inner circumference that is less than the outer circumferences of the display panel and the backing. This permits a spacer to be manufactured that will retain a gap between the display panel and the glass. Conversely, the disclosure of Baermann results in "spacer" (as that term is used by the Examiner, actually a magnet to hold two frames together) 44 that has an inner circumference that is greater than the outer circumference of "backing" (as that term is used by the Examiner) 22. As is shown in Fig. 1 of Baermann, by having an inner circumference that is greater than the outer circumference of backing 22, spacer 44 does not create a gap between the display panel 30 and the backing 22 as those two components are in direct contact with one another.

The Applicant believes all claims in the instant application now to be in condition for allowance and respectfully requests that the Examiner's rejections be withdrawn.

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Reconsideration of the application as amended respectfully is requested. The foregoing amendment and remarks are believed to be responsive to every matter raised in the office action. If, however, some matter has been overlooked, an opportunity to correct the oversight would be appreciated.

Respectfully submitted,



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